

Mr. STARK. Mr. Speaker, nursing home residents and their advocates welcomes speedy passage of this bill, which is designed to prevent facilities that prospectively withdraw from Medicaid from kicking out frail elderly people whose care is paid for through that program.

Last April, the Wall Street Journal brought national attention to evictions of Medicaid residents from a nursing home in Indiana run by the chain Vencor, Inc. Subsequently, Florida fined a Vencor facility in Tampa \$270,000 for doing the same thing.

The legislation before us today is only a first step. Congress can and should enact additional legislation to confirm the Health Care Financing Administration's authority to prevent nursing homes that are reimbursed by Medicaid from arbitrarily changing the number of beds allocated for residents who are enrolled in this program. If we fail to do this, facilities will continue dumping elderly people who are admitted as private-pay residents, and later told that they must leave once they have "spent down" because "no Medicaid beds are available."

Similarly, we should ensure that seniors are protected who are Medicaid-eligible at the time they seek admission to nursing homes. Too often, facilities tell these folks that their Medicaid beds are full, in hopes that a patient who can afford to pay a higher private rate will soon apply.

Such discriminatory practices, which are unfortunately all too common today, deny needed care and services to vulnerable elderly individuals who deserve our help. Yet under current law, seniors and their families have very limited ability to seek redress. The legislation we are considering today will protect some residents now living in facilities that choose to withdraw from Medicaid. However, few nursing homes voluntarily withdraw from Medicaid. And for those who are denied admission in the first instance as Medicaid enrollees, or who are asked to leave after they have exhausted their resources, this proposal is not an answer.

In the coming weeks, I will introduce legislation designed to add protections to Medicare and Medicaid to bolster enforcement efforts and improve residents' rights. I hope my colleagues will join me in supporting additional efforts to improve the quality of care in our nation's nursing facilities.

Mrs. CAPPS. Mr. Speaker, I rise today in strong support of this important legislation to protect some of the most vulnerable in our society—residents of nursing homes.

This bill would prohibit a nursing home from discharging or transferring a resident if the nursing home voluntarily withdraws from Medicaid. It would also require nursing homes that do not participate in Medicaid to inform individuals who would become residents that it does not participate in Medicaid and that it may transfer or discharge such a resident if he or she no longer is able to pay on their own, even if they become Medicaid-eligible.

The series of events that brought us this legislation are the worst nightmare for nursing home residents and their families. In April, 1998, a Tampa, FL, nursing home attempted to evict 52 Medicaid residents under the guise of remodeling the facility. Eventually, after the

courts and the state intervened, the nursing home relented and invited back all the discharged patients.

But the point is not that the residents are back in their nursing home. The point is that they shouldn't have had to put up with this callous and potentially fatal disruption in their lives. The culmination of a year of confusion came last April. As Nelson Mongiovi of Tampa testified before the Health Subcommittee last month, when he went to the facility where his mother was living after newspaper stories began to appear about Medicaid dumping:

(I) saw many residents being moved out so rapidly that no one knew what was going on. The residents were crying hysterically, not knowing what was happening or where they were going. Within two days, ten residents had been evicted from this facility. . . . There was utter chaos at the facility at this time with everyone, residents and family members, trying to determine what, if anything, would we be able to do.

Mr. Speaker, this legislation will hopefully put an end to scenes like that.

Protection for Medicaid-eligible nursing home residents is critical because of the large proportion of residents, often over 60% of a facility, who eventually end up on Medicaid. Typically, nursing home residents rely on Medicare to finance the first 100 days of nursing home, and then the resident relies on his or her own resources until they become eligible for Medicaid. According to some estimates, 63% of the elderly exhaust their own resources within 13 weeks and 87% within 52 weeks. These residents, who have spent all their own resources, should not be treated as second class citizens in nursing home facilities just because they now fall under Medicaid. This bill offers that protection, for residents now in homes and for future residents.

I am pleased that the Commerce Committee acted swiftly on this legislation and that the House has seen fit to act quickly as well. We must protect our vulnerable seniors in nursing homes, and their families, from the type of callous disruptions that the Mongiovi family faced.

Mr. PACKARD. Mr. Speaker, I rise today in support of H.R. 540, the Nursing Home Resident Protection Amendment. This legislation will prevent nursing homes from discriminating against residents who rely on Medicaid to cover their nursing home costs.

We have all heard the horror stories of seniors who have been evicted because their nursing home decided to withdraw from the Medicaid program. H.R. 540 will protect our seniors from being unfairly removed from their homes. This legislation will also serve to protect the nursing homes ability to withdraw from the Medicaid program, or determine which residents are admitted in the future. Under H.R. 540, nursing homes which choose to leave Medicaid are required to provide a "clear and conspicuous" notice to incoming residents that Medicaid payments are no longer accepted. Facilities will also be allowed to transfer residents who pay with private funds, but later become Medicaid-eligible.

Mr. Speaker, the choice to enter a nursing home is often one of the most difficult decisions to make for individuals and families. Let's not increase the stress associated with this decision by leading our seniors to believe

that they could be evicted simply for the method of payment they choose.

I urge my colleagues to support H.R. 540 and protect our Nation's seniors.

Mr. BROWN of Ohio. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LATOURETTE). The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 540.

The question was taken.

Mr. BILIRAKIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed until tomorrow.

REREFERRAL OF H.R. 809, FEDERAL PROTECTIVE SERVICE REFORM ACT OF 1999, TO COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

Mr. GEKAS. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the bill, H.R. 809 and that it be rereferred to the Committee on Transportation and Infrastructure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania.

There was no objection.

THREE-MONTH EXTENSION OF RE-ENACTMENT OF CHAPTER 12, TITLE 11, UNITED STATES CODE

Mr. GEKAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 808) to extend for 3 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted, as amended.

The Clerk read as follows:

H.R. 808

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AMENDMENTS.

Section 149 of title I of division C of Public Law 105-277 is amended—

(1) by striking "April 1, 1999" each place it appears and inserting "October 1, 1999",

(2) in subsection (a)—

(A) by striking "September 30, 1998" and inserting "March 31, 1999", and

(B) by striking "October 1, 1998" and inserting "April 1, 1999", and

(3) by striking subsection (c).

SEC. 2. EFFECTIVE DATE.

The amendments made by section 1 shall take effect on April 1, 1999.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. GEKAS) and the gentlewoman from Wisconsin (Ms. BALDWIN) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. GEKAS).

GENERAL LEAVE

Mr. GEKAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 808, the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania.

There was no objection.

Mr. GEKAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill before us today will extend for 6 months a very important segment of the bankruptcy law, which is at this very moment undergoing gigantic reform considerations. But as to this particular segment, there is no dispute, no controversy, no opposition of any worth with respect to whether or not the current bill will see the light of day.

This 6-month extension for the special segment having to do with farmers and agriculture enterprises in our communities is a natural extension borne of the first introduction of specialized, particularized bankruptcy for farmers dating back to 1986. Since that time, again with very little opposition and with full understanding of the need to meet the changing requirements constantly of the farm community, those extensions have brought us up to April 1, 1999, and we will need this extension in order to continue granting to farmers the options accorded them through the bankruptcy under chapter 12.

The bill that we have introduced, which is also fast approaching full debate, the full bankruptcy legislation reform bills that we have comprehensively bonded together, that debate will include eventual inclusion of chapter 12 considerations. But in the meantime, following the pattern that we have seen evolving over the last year, we do not want to jeopardize any single farm, farmer, or entrepreneur in agriculture from taking full advantage, if need be, for the fresh start that is available to them under chapter 12.

With that in mind, we would then urge the passage of this 6-month extension under the current extension, which dates back to last year, and this will comprise an extra promise on the part of the Congress that the concerns of the farmers and entrepreneurs in agriculture are in mind, they will be a part of the fuller debate on bankruptcy reform, and this chapter, chapter 12, will find full support, I am sure, in the eventual debates.

Chapter 12 is a form of bankruptcy relief only available to "family farmers," which was enacted on a temporary basis to respond to the particularized needs of farmers in financial distress as part of the Bankruptcy Judges, United States Trustees and Family Farmer Bankruptcy Act of 1986. It was thereafter extended in 1993 to September 30, 1998. Last year, it was further extended to April 1, 1999 to September 30, 1998. Last year, it was further extended to April 1, 1999 as part of the

Omnibus Consolidated and Emergency Supplemental Appropriations Act.

As we know, there currently is a financial crisis in the farming industry as the result of weather conditions and economic turmoil in the international commodity markets.

If Chapter 12 is not available, farmers will be forced to file for bankruptcy relief under the Bankruptcy Code's other alternatives. None of these forms of bankruptcy relief work quite as well for farmers as does Chapter 12. Chapter 7 would require the farmer to liquidate his or her farming operation. Many farmers would simply be ineligible to file under Chapter 13 because of its debt limits. Chapter 11 is an expensive process that does not accommodate the special needs of farmers.

This 6-month temporary extension of Chapter 12 provides important protections to family farmers, during which time Congress can further assess these provisions. Only last month, I introduced, H.R. 833, the "Bankruptcy Reform Act of 1999," a bill that would make Chapter 12 a permanent form of bankruptcy relief for family farmers. In fact, included in the comprehensive series of hearings on bankruptcy reform that the Subcommittee on Commercial and Administrative Law will hold, beginning this week, will be a segment devoted to the consideration of Chapter 12 and the ways it can be improved.

Accordingly, I urge my colleagues to vote for this bill.

Mr. Speaker, I reserve the balance of my time.

Ms. BALDWIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 808, introduced by the gentleman from Michigan (Mr. SMITH), would extend chapter 12 of the bankruptcy code for an additional 6 months.

Chapter 12 is similar to chapters 11 and 13 of the Bankruptcy Code. Chapter 12 is the part of the Bankruptcy Code that is tailored to meet the economic realities of family farming during times of severe economic crisis.

With chapter 12, Congress sought to create a chapter of the Bankruptcy Code that provided a framework for successful family farm reorganizations. At the time of its first enactment, in 1986, Congress was unable to foresee whether chapter 12 would be needed by America's family farmers indefinitely. Congress extended chapter 12 twice since then, and it is currently set to expire on April 1, 1999, and H.R. 808 would extend it for an additional 6 months. Chapter 12 is the safety net of last resort for our farmers, and we must extend it.

The family farm is the backbone of our rural economy in Wisconsin and all over this Nation. Without chapter 12, if economic crisis hits a family farm, that family has no choice but to liquidate the land, equipment, crops and herd to pay off creditors, losing the farm, a supplier of food, and a way of life. With chapter 12 in place, a family's farmland and other farm-related resources cannot be seized to pay off debt.

A bankruptcy judge for the Western District of Wisconsin notes that chapter 12 has been used in his district about 50 times over the past year. Obviously, chapter 12 is needed.

Mr. Speaker, family farmers in Wisconsin have had a tough year. Our pork producers, like pork producers everywhere, are losing thousands of dollars every month. Soybean prices are at a 25-year low, and milk prices just dropped \$6 per hundredweight in 1 month alone. This is on top of an archaic milk pricing system that unfairly disadvantage midwestern farmers. Safety nets that were in place before are now gone. Our farmers must have the assurance that if they are to reorganize their farm, to keep their farm, they can do so, and chapter 12 must be there for them.

I am pleased that my amendment to extend chapter 12 for 6 months prevailed in committee, and I thank the gentleman from Pennsylvania for bringing this bill to the floor so quickly. However, I believe that we should permanently extend chapter 12. Individuals in this country who consider filing for bankruptcy under chapter 7 or 13 do not have to worry whether that part of the Bankruptcy Code will be in place because it is permanent. I believe we should do no less for our family farmers and make chapter 12 a permanent part of our laws. I believe farmers, like all of us, should be able to plan for their futures.

I support H.R. 808 and hope it becomes law quickly, and I also look forward to working with the gentleman from Pennsylvania to ensure that chapter 12 gets permanently extended.

Mr. Speaker, I reserve the balance of my time.

□ 1300

Mr. GEKAS. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska (Mr. BEREUTER).

Mr. BEREUTER. Mr. Speaker, I thank the gentleman for yielding me this time.

The gravity of the situation for family farmers nationwide makes it imperative that chapter 12 bankruptcy is extended 6 months. Beyond this, it is this Member's hope that chapter 12 bankruptcy is extended permanently as it is done in the Bankruptcy Reform Act of 1999, H.R. 833. This Member is an original cosponsor of that Bankruptcy Reform Act introduced by the gentleman from Pennsylvania (Mr. GEKAS), the distinguished chairman of the Subcommittee on Commercial and Administrative Law of the Committee on the Judiciary.

I urge my colleagues to support this legislation.

Mr. Speaker, this Member rises today to express his support for H.R. 808, of which he is a co-sponsor, that extends Chapter 12 of the Bankruptcy Code for six additional months as

amended by the Judiciary Committee. Chapter 12 bankruptcy, which allows family farmers to reorganize their debts as compared to liquidating their assets, is set to expire on March 31, 1999.

First, this Member would thank the distinguished gentleman (Mr. NICK SMITH), from Michigan for introducing H.R. 808. In addition, this Member would like to express his appreciation to the distinguished Chairman of the Judiciary Committee from Illinois (Mr. HENRY HYDE), and the distinguished Ranking Minority Member of the Judiciary Committee from Michigan (Mr. JOHN CONYERS, Jr.) for their efforts in bringing this measure to the House floor today.

Chapter 12 bankruptcy has been a viable option for family farmers nationwide. It has allowed family farmers to reorganize their assets in a manner which balances the interests of creditors and the future success of the involved farmer. If Chapter 12 bankruptcy provisions are not extended for family farmers, this will have a drastic impact on an agricultural sector already reeling from low commodity prices. Not only will many family farmers have to end their operations, but also land values will likely plunge downward. Such a decrease in land values will affect both the ability of family farmers to earn a living and the manner in which banks, making agricultural loans, conduct their lending activities. This Member has received many contacts from his constituents regarding the extension of Chapter 12 bankruptcy because of the situation now being faced by our nation's farm families—although the U.S. economy is generally healthy, it is clear that agricultural sector is hurting.

Mr. Speaker, in closing, this Member would encourage your support for H.R. 808, the six month extension of Chapter 12 bankruptcy.

Ms. BALDWIN. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. ETHERIDGE).

Mr. ETHERIDGE. Mr. Speaker, I thank the gentlewoman for yielding me this time. I rise today in strong support of this bill to extend for 6 months chapter 12 bankruptcy for America's small farmers. I want to thank the gentlewoman from Wisconsin (Ms. BALDWIN), the gentleman from Pennsylvania (Mr. GEKAS), the gentleman from New York (Mr. NADLER) and the gentleman from Michigan (Mr. SMITH) for their work on this important piece of legislation and for bringing it to the floor in this expedited manner.

I have been pleased to cosponsor this legislation that we will be passing today and thank them for their efforts to help the hardworking small farmers throughout this country who are facing some of the most difficult times they have faced in decades. I have been saying for more than a year that farmers are not seeing the benefit of our Nation's unprecedented economic prosperity.

While many folks are watching the Dow, small farmers are just trying to get through this current crisis. We should permanently extend the chapter 12 farmer bankruptcy provision so that

small farmers have one less worry every morning when they get up to make sure that they harvest America's bounty that each of us enjoy each day. We are taking action today to make sure that these small farmers can still stay on their land and work through these hard times.

Chapter 12 allows farmers the option to reorganize debt over 3 to 5 years rather than having to liquidate their assets when they declare bankruptcy. It also encourages responsible efforts by farmers facing bankruptcy by requiring them to designate income not needed for farm operations or family costs to pay off their debt. As these payments are made, chapter 12 prevents foreclosure on the family farm. I think it is important for us to remember, we are talking about family farmers. To qualify, these farmers will have to have at least 50 percent of their gross annual income coming from farming, no less than 80 percent of debts resulting in farm operations, and total debts not more than \$1.5 million.

Mr. Speaker, Congress must take action to lend a helping hand to so many folks whose backs are against the wall through really no fault of their own. They are facing tough times.

I strongly support this noncontroversial legislation on behalf of the hardworking farmers of North Carolina's Second District and across America.

Mr. GEKAS. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. SMITH). This gentleman, the House should recognize, is a leader in the effort to preserve the options for farmers and agriculture entrepreneurs that are lodged in this extension and in the full bankruptcy debate which is yet to come.

Mr. SMITH of Michigan. Mr. Speaker, I thank the gentleman for yielding me this time. I certainly want to associate myself with the remarks of the gentlewoman from Wisconsin (Ms. BALDWIN) as well as the gentleman from Pennsylvania (Mr. GEKAS) and the gentleman from North Carolina (Mr. ETHERIDGE).

Mr. Speaker, agriculture is in a serious situation right now. Times are tough in farm country. While the rest of the economy is booming, American farmers and ranchers have not been invited to the party. Commodity prices, as the gentlewoman from Wisconsin indicated, are at record lows, export markets are shriveling up, and no relief is expected any time soon. While the farm credit system is currently sound, there are some producers who just will not be able to make ends meet in the short term. Some bankruptcy filings are inevitable.

In my district, a hog producer, a pork farmer, called me last week. He is the fourth generation on that farm. He is as smart as most any entrepreneur of small business. Yet because of prices, even with his efforts to lay off workers

and to expand his working week to 55 or 60 hours, it still looks like that family farm may not make it.

Chapter 12 of the title 11 bankruptcy code is only available to family farmers. Last October, Congress temporarily extended chapter 12 for 6 months. My bill was passed out of this Chamber. Now we are looking at another extension because chapter 12 now is set to expire March 31, 1999. H.R. 808 will temporarily extend chapter 12 for another 6 months so that this critical option for America's family farmers does not expire.

Chapter 12 allows family farmers the option to reorganize debt rather than having to liquidate when declaring bankruptcy. The logic is that a farmer, like anybody else that needs particular tools to survive and make it back from a tough financial situation, needs the allowance to keep those tools. In this case, chapter 12 allows a farmer to continue to have some of those tools of production in order to keep farming and reorganizing. I think it is important that we note, to be eligible producers must be a family farm. That is characterized under current law by a debt not to exceed \$1.5 million, not less than 80 percent of the debt related to agricultural activity, and they must have over 50 percent of their individual gross income from agriculture and their farming operation.

I am pleased that the chairman and this body is taking action on this legislation today. With less than a month to go before expiration, time is very short. I encourage as strongly as I might the other Chamber to move ahead on this legislation and get it to the President. I realize that many of us would prefer to see chapter 12 extended for a longer period of time or even made permanent. I trust that as the general bankruptcy reform debate is debated, a permanent fix for chapter 12 can be accomplished. In the interim, this legislation is needed to assure producers that this risk management tool is available to them.

Again, I thank both sides of the aisle and the chairman for moving ahead.

Mr. NADLER. Mr. Speaker, today we consider legislation to give family farmers an insulating 6 additional months of protection under chapter 12 of the Bankruptcy Code. While I seriously doubt anyone will vote against this bill, it is shameful, that we are being asked to play games with the future of family farms in America as we are witnessing the worst farm crisis since the birth of chapter 12 more than a decade ago.

No one disagrees that chapter 12 should be made permanent. No one. Bipartisan legislation has been introduced in the Other Body, by Senators GRASSLEY and DASCHLE, and in the House by our colleagues Representatives DAVID MINGE and NICK SMITH. Those bills also increase the eligibility threshold from the current \$1.5 million in aggregate debt to \$3 million, and give certain tax debts non-priority status if the debtor completes the plan. The

first two provisions were recommendations of the National Bankruptcy Review Commission, and all three have been endorsed in a joint statement by the Commercial Law League of American, the National Bankruptcy Conference and the National College of Bankruptcy.

In fact, the sponsor of this legislation introduced a measure earlier in this Congress which would have extended chapter 12 by 6 months past the sunset date, rather than merely by the 3 months in this bill. He then introduced a bill granting only an additional 3 months. Evidently this more modest effort has found favor with the Republican leadership. It attracted the cosponsorship of the Chairman of the Subcommittee on Commercial and Administrative Law and was given a fast track.

The Gentlewoman from Wisconsin attempted to make chapter 12 permanent in Committee and was stopped by a procedural technicality. She then attempted a 2-year extension which was cut back to the 6 months we are considering today. As my colleagues know, the procedure being used today prevents us from even considering amendments to provide more time.

We had a similar experience in the last Congress, when the Gentleman from Michigan and I introduced H.R. 4697, which would have extended chapter 12 until September 30, 2000. This was short of our common goal of making chapter 12 permanent, but in view of the fact that the leadership of this House had allowed chapter 12 to sunset during a farm crisis, we felt it was a justifiable compromise. Unfortunately, the bill which ultimately was brought to the floor by the Republican leadership, H.R. 4831, and which ultimately passed the House and was enacted into law as part of the Omnibus Appropriations Act, extended chapter 12 only until the end of March 1999.

So for all you family farmers in crisis, the Republican leadership of the Congress wishes you a happy April Fools Day.

Why are we stringing family farmers along during a crisis? What policy justification could there be when there is bipartisan agreement in both houses that we give them permanent protection and provide other beneficial changes to protect America's family farms? Are the policy objections to doing so? If so, I have yet to hear one.

No, Mr. Speaker, this charade, which threatens family farms across the country, cannot possibly be justified on policy grounds. It certainly creates the unseemly appearance that family farmers are being cynically held hostage to a larger, more controversial bill which would undermine the existing legal protections for families and small businesses in financial crisis. "You want to be protected? Help us strip protections from other families across the country." That certainly appears to be the message being sent today.

And who would be benefited by that larger legislation? Many of the same big banks who are trying to foreclose on America's small farms. Is that what we want? A nation owned by nothing but big banks and industrial farming operations?

Mr. Speaker, I fear that if we continue to proceed in this manner, people will lose their farms and members from farming communities will be afraid to vote their consciences on the

larger bill. Let's call an end to this political game. Let's free America's family farmers and give them the protection we all agree they deserve.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 808, authorizing the extension of chapter 12 of title 11 of the United States Code for an additional 6 months.

Chapter 12 provides necessary protections for family farmers with regular annual income. Farming is a way of life not only in the heartland but also in the Southwest, Midwest and Southern regions of America. We must save America's farms! Chapter 12 is temporary legislation—we need permanent legislation—we need a bankruptcy bill that takes into account the financial crisis of farmers.

It is imperative that we pass permanent legislation that will adequately protect families with annual farm income. This extension of Chapter 12 is insufficient! Farmers need permanent legislation that will provide adequate and legal protection under the shield of bankruptcy. Now is neither the time to play partisan politics with bankruptcy nor America's farmers!

We should offer permanent legislation that will ensure the viability of agriculture and the family farmer. Now is not the time to play partisan politics with bankruptcy legislation—in an attempt to garner support for a draconian bankruptcy reform bill.

Chapter 12 was enacted on a temporary basis in 1986, then extended in 1993 for an additional 5 years—today we offer an additional 6 months of relief—Chapter 12 should be available to farmers on a permanent basis!

If we are serious about bankruptcy legislation—let us work together to provide a system that will safeguard the interest of the debtor, the debtor's family obligations and creditors. If we are serious about bankruptcy legislation—let us work together to pass legislation that will provide protection for everyone, especially individuals with special circumstances like farmers. There is no legitimate rationale for enacting permanent bankruptcy legislation to assist family farmers.

We must press forward and work together to find the best way to accomplish these goals for the benefit of all of the parties involved in the bankruptcy process. Congress must come together in the spirit of bipartisanship to enact bankruptcy reform to protect everyone.

Ms. BALDWIN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GEKAS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LATOURETTE). The question is on the motion offered by the gentleman from Pennsylvania (Mr. GEKAS) that the House suspend the rules and pass the bill, H.R. 808, as amended.

The question was taken.

Mr. SMITH of Michigan. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed until tomorrow.

EXPRESSING SUPPORT FOR FREE, FAIR, AND TRANSPARENT ELECTIONS IN INDONESIA

Mr. BEREUTER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 32) expressing support for, and calling for actions in support of, free, fair and transparent elections in Indonesia.

The Clerk read as follows:

H. RES. 32

Whereas Indonesia is the world's fourth most populous country, has the world's largest Muslim population, and has repeatedly demonstrated itself to be a good friend of the United States;

Whereas a stable and democratic Indonesia can continue to play an important leadership role in the security and stability of Southeast Asia;

Whereas Indonesian national elections in 1955 were judged to be free and fair, but more recent elections have been far more problematic;

Whereas in response to overwhelming public demand, long-time leader (32 years) Soeharto resigned on May 21, 1998;

Whereas elections for the House of Representatives of Indonesia (DPR) have been scheduled for June 7, 1999;

Whereas it is in the interests of all Indonesians and friends of Indonesia that the June 1999 elections be free, fair, and transparent;

Whereas the Government of Indonesia has welcomed international interest and technical support for the elections, under the coordination of the United Nations Development Program;

Whereas United States and international nongovernmental organizations such as the National Democratic Institute for International Affairs (NDI), the Asia Foundation, the International Republican Institute (IRI), the International Foundation for Election Systems (IFES), and the American Center for International Labor Solidarity (ACILS) are providing election assistance throughout Indonesia; and

Whereas the active participation in election monitoring by the international community, including the United States Congress, would contribute meaningfully to the Indonesian election: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the aspirations of the Indonesian people for democratic elections;

(2) urges the Government of Indonesia to take all steps, including the provision of adequate financial and administrative resources, to ensure that the parliamentary elections scheduled for June 7, 1999, are free, fair, and transparent, according to internationally recognized standards, and that an institutional capacity is put in place for free and fair elections in the future;

(3) calls upon the Government of Indonesia to enact election laws that ensure that the will of the people is respected, both in the parliamentary elections scheduled for June 7 and in the general session of the People's Consultative Assembly (MPR) that will elect a new President and Vice President later in 1999;

(4) appeals to all political leaders and responsible persons to strive to ensure that the campaign period remains peaceful;

(5) calls upon all Indonesian political parties, the armed forces, and the public at large to respect the results of free and fair elections;